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LETTER DATED 9 NOVEMBER 1999 FROM THE PERMANENT REPRESENTATIVE OF ETHIOPIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith a statement issued on 9 November 1999 by the Office of the Spokesperson of the Federal Democratic Republic of Ethiopia (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Duri MOHAMMED
Ambassador
Permanent Representative

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Annex

Statement issued on 9 November 1999 by the Office of the Spokesperson of Ethiopia

For 18 long months, Ethiopia has been in pursuit of a simple, yet elusive, quest: a full return to the status quo ante that existed before Eritrea's unexpected invasion that began in May 1998. Like Ethiopia, all international mediators who have attempted to facilitate a peaceful end to the conflict have emphasized the importance of reversing Eritrea's aggression.

Indeed, both the initial United States/Rwandan peace proposal and the Framework Agreement of the Organization of African Unity for peace are based on the fundamental principle that borders cannot and must not be changed by force.

When this fundamental principle of international law is violated, as happened when Eritrea invaded and occupied Ethiopia, international norms call for an immediate return to the status quo ante, meaning that the aggression must be undone before any other matters can be addressed. Only after the status quo ante has been restored can other steps in the peace process, such as demarcation and delimitation of the border, be taken.

Thus, in this particular case, if aggression is not allowed to stand, Eritrea must withdraw from all the territories previously administered by Ethiopia. To not require such a return to the status quo ante would be to reward aggression and to send the message that borders can be changed by force. Eritrea's failure to withdraw, however, as required by the Framework Agreement, is the fundamental cause of the current crisis. Ethiopian Foreign Minister Seyoum Mesfin first stressed the need for a return to the status quo ante while addressing the diplomatic community in Addis Ababa in May 1998, just days after Eritrea invaded Ethiopia.

In order to deflect attention away from its obligations, the Eritrean Government has been attempting to argue, illogically, that the restoration of the status quo ante implies a reversion to colonial boundaries. Despite Eritrea's far-flung interpretation, a return to the status quo ante means the redeployment of troops to the positions they occupied prior to 6 May 1998. The final status of the concerned territories will later be determined through delimitation and demarcation (based on colonial treaties and applicable international law), processes that are completely separate from the restoration of the status quo ante.

Given that a return to the status quo ante is a crucial first step in the peace process, it is troubling that the technical arrangements for the implementation of the Framework Agreement are inconsistent with the original document and do not guarantee this fundamental requirement. Indeed, there are loopholes in the arrangements that Eritrea could potentially manipulate to impede restoration of the status quo ante. In addition, whereas the Framework Agreement calls for an observer mission to oversee the redeployment process, the technical arrangements introduce the completely new element of a peacekeeping force, which has the potential to encroach on Ethiopia's sovereignty. An even

more fundamental flaw with the document is its failure to identify Eritrea as the aggressor, which is to put it on the same footing as Ethiopia, the victim of unprovoked aggression.

Restoration of the status quo ante, far from being a precondition for peace, is a crucial step in the peace process. How can there ever be lasting, durable peace if Eritrea's naked aggression is not first undone?